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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,793	01/29/2004	Charles Q. Lee	10,270	6196

7590 05/18/2005
John C. McMahon
PO Box 30069
Kansas City, MO 64112

EXAMINER

SUHOL, DMITRY

ART UNIT	PAPER NUMBER
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3725

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/767,793	LEE ET AL.	
	Examiner	Art Unit	
	Dmitry Suhol	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-9,11-14,16-18,20-29,31,32 and 34-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4,6-9,11-14,16-18,20-25,31 and 35-40 is/are allowed.
- 6) ☒ Claim(s) 26-29,32 and 34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Terminal Disclaimer

The terminal disclaimer filed on April 7th, 2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent 6,520,775 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 26 and 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams '802. Williams discloses a dental teaching aid containing all of the claimed features including with reference to claim 26, a support structure (10) having a generally planar insert support plate (planar bottom shown in figure 6), a plurality of inserts mimicking a portion of a human jaw and received in an abutting relationship on the support plate (jaw inserts 11 and 12), each insert providing structure thereon that allows a dental student to practice at least one dental procedure (teeth 14). An insert providing training in the repair of dental decay and providing at least one opening for receiving a tooth in a ligament mimicking matrix, as required by claim 28, is discussed in col. 2,

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lines 36+ and shown in figure 4. An insert providing training structures for conducting root canals, as required by claim 29, is discussed in col. 2, lines 39+.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams '802 in view of Moore '229. Williams discloses all of the claimed elements, as stated above, and further including that his inserts may provide training in crown and bridge procedures (col. 2, lines 48-52), however Williams fails to teach the use of artificial skin as required by claim 27. Moore discloses a dental teaching aid which teaches the use of a simulated skin (28) and the benefits therewith (col. 4, lines 14-24). Therefore it would have been obvious to one having ordinary skill in the art at the time of the claimed invention to have provided the teaching aid of Williams with simulated skin as taught by Moore for the purpose of ease of molding, good colorability, realistic flexibility, stability, resistance to tears and abrasions and ease of cleaning.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams '802 in view of Oestreich '562. Williams discloses all of the claimed elements as stated above, but for the support including a first of a tongue and slot pair and each

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insert including a second of the tongue and slot pair as required by claim 32. However, Oestreich discloses a device like that of Williams which teaches that it is known to provide inserts (4) and a support with respective portions of a tongue (18) and slot (17) mating means (figure 6). Therefore it would have been obvious to utilize a tongue and slot mating means in each insert and support of Williams, respectively for the purpose of stability and adjustment.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams '802. Although Williams discloses all of the claimed elements, as stated above, and further including that his inserts may be comprised of an entire jaw sectioned as desired (col. 2, lines 15-19), the reference fails to explicitly teach that his inserts are interchangeable with other inserts. However, it would have been obvious to one having ordinary skill in the art, at the time of the claimed invention, to have provided a variety of interchangeable inserts with the device of Williams for the purpose of demonstrating a variety of dental conditions, especially since Williams is clearly desires that his device display an infinite variety of dental conditions (col. 2, lines 39+).

Allowable Subject Matter

Claims 1-4, 6-9, 11-14, 16-18, 20-25, 31, 35-40 are allowed.

Response to Arguments

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Applicant's arguments with respect to claims 26-29, 32 and 34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

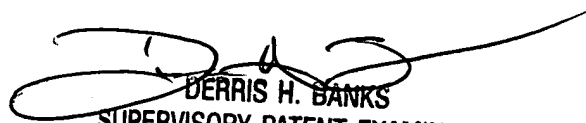
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Suhol whose telephone number is 571-272-4430. The examiner can normally be reached on Mon - Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571)272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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